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C O N F I D E N T I A L SECTION 01 OF 03 PRISTINA 001121

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DEPT FOR DRL, INL, AND EUR/SCE, NSC FOR BRAUN, USUN FOR
DREW SCHUFLETOWSKI, USOSCE FOR STEVE STEGER

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TAGS: [PGOV](#) [PBTS](#) [INR](#) [UNMIK](#) [YI](#) [KTIA](#)

SUBJECT: KOSOVO AND MACEDONIA: THE WAY FORWARD ON BORDER
DEMARCATATION

Classified By: CDA ALEX LASKARIS FOR REASONS 1.4 (B) AND (D).

¶1. (U) The following is a joint cable from U.S. Office
Pristina and Embassy Skopje.

¶2. (C) SUMMARY: When Macedonian FM Milososki visited Kosovo
on November 23, he reiterated the GoM's position calling for
inclusion of the demarcation of the Kosovo-Macedonia border
in the UNSCR on Kosovo's final status. This prompted a
negative reaction from PM Ceku's office and highlighted the
issue's sensitivity in Kosovo. Border demarcation remains a
controversial issue, but Kosovo will have to accept border
demarcation based on the 2001 agreement as part of the final
status package. However, we should do what we can to make
this bitter pill more palatable to the PISG so it does not
become a stumbling block to implementation of the status
agreement.

¶3. (C) U.S. Office Pristina and Embassy Skopje met recently
to discuss possible ways forward. Given the highly-charged
emotions on the issue, we propose urging PM Ceku to accept
the 2001 agreement, but softening the blow bilaterally by
encouraging the GoM to be among the first to recognize Kosovo
independence and suggesting confidence-building measures,
such as having American and perhaps other international
experts involved in the technical demarcation, to help that
process proceed more smoothly. Our underlying argument to
the Kosovars will be that good relations with Kosovo's
southern neighbor are considerably more important than the
insignificant bit of territory involved. High-level U.S.
engagement, including by Ambassador Wisner, may be required
to reorient Kosovar thinking. We would appreciate Department
guidance on this approach and possible sweeteners. END
SUMMARY.

Background

¶4. (SBU) When Macedonian FM Antonia Milososki visited Kosovo
on November 23, 2006, Kosovo media reported that he
reiterated the GoM's position calling for the UNSCR on
Kosovo's final status to include demarcation of the
Kosovo-Macedonia border based on the February 23, 2001 border
agreement between the Republic of Macedonia and the

then-Federal Republic of Yugoslavia. Milososki's comments caused a negative reaction by PM Ceku's office, bringing the contentious border demarcation issue to the surface again. PM Ceku immediately told reporters, "the issue of demarcation of the border with Macedonia has not been discussed with (United Nations Special Envoy for Kosovo Martti) Ahtisaari and we hope that it would not be included in his package. Kosovo will be recognized as an independent country within its current administrative borders."

15. (SBU) According to a Bureau of Intelligence and Research (INR) Office of the Geographer and Global Issues paper dated June 10, 2002, about 26 square kilometers, or 2,620 hectares, changed hands as a result of the 2001 border agreement. Macedonia gained the most land, while Kosovo was the biggest loser. Macedonia ceded 6.552 sq. km. to Serbia and 1.778 sq. km. to Kosovo, while Serbia ceded 3.2 sq. km. to Macedonia and Kosovo ceded 14.633 sq. km. to Macedonia. Kosovo's net loss was 12.8 sq. km., while Serbia's net gain was 3.4 sq. km. An INR GIS inspection revealed that the larger segments Kosovo ceded to Macedonia generally gave the Macedonians an elevation advantage or consolidated farmlands. According to INR, if demarcation occurs, the agreement permits the boundary teams to make adjustments 150 meters in either direction of the boundary to accommodate property claims.

16. (SBU) On March 7, 2001, the President of the UN Security Council issued a statement emphasizing that the 2001 border agreement "must be respected by all." It was reaffirmed by the UN Secretary General and the USG in February 2002. On May 23, 2002, the Kosovo Assembly passed a resolution rejecting the agreement, arguing that it had been negotiated over the Kosovars' heads. Then-Special Representative of the Secretary General (SRSG) Michael Steiner immediately annulled

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the resolution. That day, the Department issued a statement endorsing the SRSG's decision and reiterating our position that "the border agreement stands." The Department also called on "all parties to move to the agreement's fair and full implementation, including the accommodation of affected persons in the border area." Since 2001, the GOM has tried to identify the correct legal partner in Kosovo in order to complete the technical demarcation of the border. However, the Kosovo Provisional Institutions of Self-Government (PISG) and UNMIK have not been able to determine who has the legal authority to complete this process.

The Kosovar Position

17. (C) Kosovo sentiment with regard to the border, despite the relatively small area involved, remains visceral. PM Ceku adviser Arben Qirezi told us recently that the PISG "cannot accept" the 2001 border demarcation agreement "on top of swallowing decentralization." He said the PISG would prefer not to have border demarcation mentioned at all in the status package, but "might accept" a vague reference to border demarcation being a technical issue to be worked out between Skopje and Pristina based on the 1974 agreement establishing the administrative boundary line (ABL) between the then-Yugoslav Republics of Serbia and Macedonia. Qirezi said he was "dismayed" by what he termed a change in position by the Macedonian government, claiming that the Kosovo and Macedonian governments agreed in May 2006 that Kosovo would release a statement calling border demarcation a technical issue to be worked out between Kosovo and Macedonia. According to Qirezi, the statement was painstakingly negotiated and the two governments understood that they would demarcate the border based on the 1974 agreement. He also maintained that then-Macedonian Prime Minister Vlado Buckovski clarified as much a day after the statement was released.

The Macedonian Position

¶18. (C) The GOM is seeking U.S. support to ensure that the UNSCR setting forth Kosovo's final status includes a reference to the validity of the 2001 border agreement, as a matter of legal succession of international treaties of the former Yugoslavia, and also calls for full and final demarcation of the border. The 2001 agreement provides the legal framework for the technical demarcation, and the GOM believes all concerns expressed by either side can be addressed within that framework. The Macedonians would like the technical process of demarcation to start as soon as possible after adoption of the UNSCR, fearing that any delay could open the door to politicization of the issue on both sides and have a negative affect on regional stability.

The Way Forward

¶19. (C) USOP and Embassy Skopje met on December 15 to discuss the best way forward, and agreed that there must be clear acceptance on both sides of the 2001 agreement. However, some possible softeners for the Kosovars could help the PISG accept the bottom line more gracefully. It might in the first instance be possible to suggest that the reference to the border issue in the Ahtisaari document establish that Kosovo's border shall be defined by the Yugoslav frontiers as they stood on December 31, 1989, except as amended by internationally-recognized agreements. A footnote would contain a specific reference to the March 7, 2001 statement by the U.N. Security Council President. Other inducements to make the issue more palatable for Kosovo include encouraging the GoM to be among the first to recognize Kosovo's independence, and urging the two sides to introduce confidence-building measures (CBMs) to help the actual demarcation go more smoothly. These CBMs might deal with having the technical team that demarcates the border include American experts among any internationals on the team; adding border crossings to facilitate cross-border communications and trade links; improving infrastructure to include paving roads; providing mobile medical care teams to service remote

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areas; working with farmers and villagers to minimize the impact of demarcation on property holdings.

¶10. (C) On our end, we propose raising the issue directly with PM Ceku and possibly other members of the Unity Team to prepare them for accepting the 2001 agreement in the final package. We would stress that it is far more important for Kosovo to maintain good relations with its neighbor to the south than to quibble about what amounts to an insignificant bit of territory, particularly given the strained relationship Kosovo will almost certainly have with Serbia in the immediate post-status period. This message may need an additional push by Ambassador Wisner and other high-level U.S. officials in discussions with the Kosovars.

¶11. (C) Comment: Border demarcation is a very emotional issue for Kosovo, but Kosovo will have no choice but to accept border demarcation based on the 2001 agreement as part of the final status package. However, we should do what we can to make this bitter pill more palatable to the PISG so it does not becoming a stumbling block to implementation of the status agreement. USOP would appreciate Department guidance to help prepare the ground in Kosovo for this sensitive issue, especially in the immediate run-up to Ahtisaari's presentation of his package in Pristina. End comment.

¶12. (SBU) U.S. Office Pristina does not clear this cable for release to U.N. Special Envoy Martti Ahtisaari.
LASKARIS